

C14

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2010-0081

**P.C. DATE:** June 22, 2010

**ADDRESS:** 1010 East Cesar Chavez Street

**OWNER:** 1010 Cesar Chavez, LLC. (Cody Symington) 512-968-6032

**AGENT:** Thrower Design, (Ron Thrower) 512-476-4456

**ZONING FROM:** CS-MU-CO-NP

**TO:** CS-MU-CO-NP – The Applicant is proposing to change the Conditional Overlay that applies to the property. The specific change requested is to make the Restaurant (limited) and Restaurant (general) uses permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses will remain intact.

**SITE AREA:** 0.292 acres

**SUMMARY STAFF RECOMMENDATION:** The staff recommendation is to grant the change from CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan) to CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan). The zoning change will amend the conditional overlay to allow Restaurant (limited) and Restaurant (general) uses as permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses defined in the East Cesar Chavez Neighborhood Plan rezonings will remain intact. The conditional overlay will limit the number of vehicle trips to less than 2,000 per day.

**SUMMARY PLANNING COMMISSION RECOMMENDATION:** Pending. The item is scheduled for the Planning Commission meeting of June 22, 2010.

**ISSUES:** The East Cesar Chavez Neighborhood Planning Team has provided a letter in support of the proposed rezoning which is attached to the back of the staff report. As a condition of support from the Planning Team, the applicant has agreed to maintain the existing building and the residential component.

**DEPARTMENT COMMENTS:** The subject site is located on the northwest corner of Cesar Chavez and Medina Street with an alley abutting the site to the north. The property is currently developed with a one-story structure that has an attached residential unit to the rear. An office previously occupied the structure, but it is currently vacant. There is also a two-story detached structure located towards the rear of the property which contains storage on the first floor and residential units on the second floor. Access to the site is taken from Medina Street.

The applicant is requesting a change to the existing conditional overlay that would make Restaurant (limited) and Restaurant (general) permitted uses, in order to convert the unoccupied portion of the existing one-story structure (approximately 2,200 square feet) into a restaurant. The existing façade of the structure and the attached rear residential unit will be maintained and all other prohibited and conditional uses will remain intact. A conceptual site plan is provided in Exhibit A.

The staff recommendation is to approve the amendment to the conditional overlay and permit the restaurant uses. The applicant will not alter the exterior of the existing building which will retain the character of the neighborhood and the residential component will also remain thereby protecting the affordable housing on site. Hence, the proposed renovation is consistent with two key components of The East Cesar Chavez Neighborhood Plan. Additionally, the Terrazas Library directly across the street from the subject tract underwent a significant expansion and redevelopment in 2003 and a substantial portion of the blocks to the east and west have also been redeveloped. The rezoning to allow restaurant as a permitted use on this portion of East Cesar Chavez Street, a core transit corridor, would be in character with the surrounding area where there are also other restaurants and commercial uses.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-MU-CO-NP	Office; Residential
<i>North</i>	SF-3-NP	Church
<i>East</i>	CS-MU-CO-NP	Office
<i>South</i>	P-NP	Civic (Terrazas Library)
<i>West</i>	CS-MU-CO-NP	Commercial (Big Red Sun Nursery, Laundry Facility)

**NEIGHBORHOOD PLAN AREA:** East Cesar Chavez

**TIA:** Is not required.

**WATERSHED:** Waller Creek; Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** Yes

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

- PODER People Organized in Defense of Earth & Her Resources
- East Cesar Chavez Neighborhood Planning Team
- East Cesar Chavez Neighborhood Association
- Guadalupe Neighborhood Development Corporation
- Austin Neighborhood Council
- Sentral Plus East Austin Koalition (SPEAK)
- El Concilio Coalition of Mexican American Neighborhood Association
- Barrio Unido Neighborhood Association
- Home Builders Association of Greater Austin
- League of Bicycling Voters
- Austin Parks Foundation
- East River City Citizens
- Homeless Neighborhood Association
- Del Valle Community Coalition
- Greater East Austin Neighborhood Association
- United East Austin Coalition
- Austin Monorail Project
- Super Duper Neighborhood Objectors and Appealers Organization
- The Real Estate Council of Austin, Inc.
- Tejano Town

Sierra Club, Austin Regional Group

**CASE HISTORIES:**

The East Cesar Chavez Neighborhood Plan rezonings were approved by Council in May 1999 (C14-00-2102). The subject property was designated as Tract 60 in the Neighborhood Plan rezonings. Please refer to Exhibit B.

**RELATED CASES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-95-0086 1111 E CESAR CHAVEZ ST FIRST & WALLER (HEALTH DEPARTMENT)	From LR and CS to P	7/25/1995 APVD P AS REQUESTED (7-0-1)	8/24/1995 APVD P (5- 0); ALL 3 RDGS
C14-02-0077 1025 E CESAR CHAVEZ ST TERRAZAS BRANCH EXPANSION	SF-3-NP and CS-MU-CO NP to P-NP	9/25/2002 APVD STAFF REC OF P-NP BY CONSENT (8-0)	10/10/2002 APVD P- NP (7-0); ALL 3 RDGS

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Plan	Bus Routes
E Cesar Chavez	60'	36'	Arterial	Yes	Shared Lane Exist/ Recommended	Yes
Medina	60'	28'	Local	No	None Exist/ Recommended	

**CITY COUNCIL DATE:** July 29, 2010

**ACTION:** N/A

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Joi Harden

**PHONE:** 974-2122

**E-MAIL:** [joi.harden@ci.austin.tx.us](mailto:joi.harden@ci.austin.tx.us);



- Legend**
- SUBJECT TRACT
  - PENDING CASE
  - ZONING

**ZONING**

**CASE NUMBER: C14-2010-0081**  
**ADDRESS: 1010 E CESAR CHAVEZ ST**  
**GRID: J21**  
**CASE MGR: JOI HARDEN**



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**C14-2010-0081 1010 E Cesar Chavez ST**  
**From CS-MU-CO-NP to CS-MU-CO-NP**  
**(The request is to make Restaurant (limited and general)**  
**permitted uses).**





## **SUMMARY STAFF RECOMMENDATION**

The staff recommendation is to grant the change from CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan) to CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan). The zoning change will amend the conditional overlay to allow Restaurant (limited) and Restaurant (general) uses as permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses will remain intact. The conditional overlay will limit the number of vehicle trips to less than 2,000 per day.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

CS – General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

MU – Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office retail, commercial, and residential uses within a single development. Allows development of all types of residential uses, including single-family residential, multifamily residential, and townhouses.

CO – Conditional Overlay combining district is a type of zoning district that is used in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulation by requiring standards tailored to individual properties.

NP – Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The Applicant is proposing to change the Conditional Overlay that applies to the property. The specific change requested is to make the Restaurant (limited) and Restaurant (general) uses permitted. The uses are currently conditional uses. Because the applicant will not alter the exterior of the structure, and the residential component remains, staff supports the rezoning since it is in keeping with the spirit of the East Cesar Chavez Neighborhood Plan.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed rezoning will allow for reasonable use of the site while maintaining the character of the surrounding area. Staff recommends rezoning based on its compatibility with the character of the surrounding area.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject site is developed with a one-story structure that has an attached residential unit to the rear. There was an office previously located in the structure, but currently the structure is unoccupied. There is also a two-story detached structure located towards the rear of the property which contains storage on the first floor and residential units on the second floor. The structures are

developed across two lots facing Cesar Chavez and there is an alley that abuts the property to the rear. The site is relatively flat and lightly vegetated.

### **Impervious Cover**

The maximum impervious cover allowed by the CS zoning is 95%, based on the more restrictive zoning regulations.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed and the Town Lake Watershed of the Colorado River Basin, which are classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City

of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Site Plan Review**

This site is in a Capital View Corridor(s), and any construction will require a Capital View Corridor review, which is a separate application and review process.

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Compatibility Standards**

- a. The site is subject to compatibility standards. Along the North and East property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- g. For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

**East Cesar Chavez Neighborhood Planning Team  
1511 Haskell Street  
Austin, Texas 78702**

**Jeff Thompson, Planning Team Vice-Chair, Land Use/Design Committee Co-Chair  
512-314-1830  
jeffreylthompson@yahoo.com**

June 11, 2010

**Letter of Support for Conditional Use request for 1010 E. Cesar Chavez**

To all concerned:

I am writing to confirm East Cesar Chavez Neighborhood Planning Team support of a removal of the conditional use restraint for the restaurant use for 1010 E. Cesar Chavez Street in the East Cesar Chavez Neighborhood Planning Area if the restaurant use can be limited to the existing main building.

Mary Jenkins and Cody Symington presented their plans for this business to the East Cesar Chavez Neighborhood Planning Team on several occasions.

First they met with the team's Land Use and Design Committee on February 24, 2010 at Café Mundi. They presented their plans again to the entire Neighborhood Planning Team on April 21, 2010 at a meeting held in the Terrazas Library. The planning team endorsed the conditional restaurant use request by unanimous vote.

Ms. Jenkins and Mr. Symington, joined by Ron Thrower, then returned to the Neighborhood Planning Team Meeting on May 19, 2010. They explained that they felt it would be better to have the zoning changed to remove the conditional use. Mr. Thrower explained that the change could be structured in a way that restaurant use can be interiorly limited to the existing main building and maintain a residential component.. The team endorsed the zoning changes under these conditions by unanimous vote.

The current plans provide a coffee shop to serve the local community and housing while preserving the historic character of the neighborhood. A small restaurant would encourage pedestrian traffic on the street and probably provide a boost to other neighborhood businesses such as the nearby cleaners and bookstore.

In addition, an outdoor seating area could provide additional "eyes on the street."

Because of the close vicinity to family homes, the team did feel it was important that the restaurant would not apply for an Outdoor Music Venue permit or Late Hours permit. Ms. Jenkins and Mr. Symington assured us that they would not seek these changes.

For more information, I can be reached at 512-314-1830.

Sincerely,

Jeffrey L. Thompson  
Co-Chair, Land Use/Design Committee  
East Cesar Chavez Neighborhood Planning Team

**PUBLIC HEARING INFORMATION**

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0081  
 Contact: Joi Harden, 512-974-2122  
 Public Hearing: June 22, 2010, Planning Commission  
 July 29, 2010, City Council

*Erica Heldegreen*  
 Your Name (please print)

I am in favor  
 I object

1048 Medina  
 Your address(es) affected by this application

*[Signature]*  
 Signature

512-6880-1664  
 Daytime Telephone: 6-15-10  
 Date

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If you use this form to comment, it may be returned to:  
 City of Austin  
 Planning & Development Review Department  
 Joi Harden  
 P. O. Box 1088  
 Austin, TX 78767-8810

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0081  
 Contact: Joi Harden, 512-974-2122  
 Public Hearing: June 22, 2010, Planning Commission  
 July 29, 2010, City Council

Your Name (please print)

ELINA SANDOVAL

Your address(es) affected by this application

1004E 2nd St.

Signature

Date

Daytime Telephone: 512-468-7957

Comments:

I am in favor  
 I object

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Development Review Department  
 Joi Harden  
 P. O. Box 1088  
 Austin, TX 78767-8810

# Exhibit B

## ORDINANCE NO. 001214-20

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE FOR APPROXIMATELY 443 ACRES OF LAND, GENERALLY KNOWN AS THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN (NP) COMBINING DISTRICT, WHOSE BOUNDARIES ARE THE ALLEY BETWEEN EAST 6<sup>TH</sup> STREET AND EAST 7<sup>TH</sup> STREET ON THE NORTH, CHICON STREET ON THE EAST, TOWN LAKE ON THE SOUTH AND INTERSTATE HIGHWAY 35 ON THE WEST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 90 tracts of land within the property described in File C14-00-2102, as follows:

Approximately 443 acres of land, in the City of Austin, Travis County, Texas, including 90 tracts more particularly described and identified in the chart below and the attached Exhibit "A", (the "Property")

generally known as the East Cesar Chavez Neighborhood Plan (NP) combining district, locally known as the property bounded by the alley between East 6<sup>th</sup> Street and East 7<sup>th</sup> Street on the north, Chicon Street on the east, Town Lake on the south and Interstate Highway 35 on the west, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

**PART 2.** The base zoning districts for the 90 tracts of land are changed from Limited Office (LO) district, Neighborhood Commercial (LR) district, Community Commercial (GR) district, General Commercial Services (CS) district, Commercial-Liquor Sales (CS-1) district, General Commercial Services-Historic (CS-H) district, and Limited Industrial Services (LI) district to Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan (LO-MU-CO-NP) combining district, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan (LR-MU-CO-NP) combining district, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan (GR-MU-CO-NP) combining district, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan (CS-MU-CO-NP) combining district, Commercial-Liquor Sales-Mixed Use-Conditional Overlay-Neighborhood Plan (CS-1-MU-CO-NP) combining district, General Commercial Services-Historic-Mixed

Use-Conditional Overlay-Neighborhood Plan (CS-H-MU-CO-NP) combining district, and Limited Industrial Services-Conditional Overlay-Neighborhood Plan (LI-CO-NP) combining district, as more particularly described and identified in the chart below.

TRACT #	ADDRESSES	FROM	TO
TRACT 1	816 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 2	906 & 910 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 3	1000, 1008 E. 6 <sup>th</sup> Street, 1010, & 1016 E. 6 <sup>th</sup> Street	L.I. CS-1	L.I.-CO-NP CS-1-MU-CO-NP
TRACT 4	1100, 1102, 1104, 1112, 1108, & 1112 6 <sup>th</sup> Street, 603 Medina Street, 602 Waller Street	CS-1	CS-1-MU-CO-NP
TRACT 5	1200, 1202, 1204, & 1212 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 6	1300, 1302, 1304, 1306, 1308, & 1310 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 7	1400, 1408, 1410, & 1412 E. 6 <sup>th</sup> Street, 600 & 602 Onion Street	CS-1	CS-1-MU-CO-NP
TRACT 8	1500, 1504, 1510, & 1512 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 9	1600, 1604, 1606, 1614, 1618, 1620, & 1648 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 10	1700, 1702B, 1706, 1708, 1800, 1802, 1812, 1814, & 1816 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 11	805, 809, & 815 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 12	901, 911, & 917 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 13	1001, 1003, 1009, 1013, 1015, & 1019 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 14	1101, 1105, 1111, & 1113 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 15	1201, 1205, 1209, 1211, 1213, & 1221 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 16	1305, 1307, & 1313 E. 6 <sup>th</sup> Street	CS	CS-1-MU-CO-NP
TRACT 17	1403, 1405, & 1409 E. 6 <sup>th</sup> Street	CS-1	CS-1-MU-CO-NP
TRACT 18	1501, 1509, & 1511 E. 6 <sup>th</sup> Street 1506 E. 5 <sup>th</sup> Street 500 Comal Street	CS-1 L.I.	CS-1-MU-CO-NP CS-MU-CO-NP
TRACT 19	1601 & 1645 E. 6 <sup>th</sup> Street	CS CS-1 L.I.	CS-MU-CO-NP CS-1-MU-CO-NP CS-MU-CO-NP
TRACT 20	1701, 1705, 1707, 1709, 1715, 1805, 1809, & 1817 E. 6 <sup>th</sup> Street 1700, 1702, 1704, & 1707 E. 5 <sup>th</sup> Street, 500 Chicon Street	CS-1 L.I.	CS-1-MU-CO-NP CS-MU-CO-NP
TRACT 21	814 E. 5 <sup>th</sup> Street	L.I.	CS-MU-CO-NP
TRACT 22	900 & 906 E. 5 <sup>th</sup> Street, 500 San Marcos Street	L.I.	CS-MU-CO-NP
TRACT 23	1000 E. 5 <sup>th</sup> Street	L.I.	CS-MU-CO-NP
TRACT 24	1100, 1108, & 1110 E. 5 <sup>th</sup> Street, 504 Waller Street	L.I.	CS-MU-CO-NP
TRACT 25	501 Waller Street 1210 E. 5 <sup>th</sup> Street	L.I.	CS-MU-CO-NP
TRACT 26	500 Navasota Street	L.I.	CS-MU-CO-NP
TRACT 27	501 Navasota Street 1402, 1406, & 1410 E. 5 <sup>th</sup> Street 502 Onion Street	L.I.	CS-MU-CO-NP
TRACT 28	800 E. 4 <sup>th</sup> Street	L.I.	CS-MU-CO-NP
TRACT 29	901 E. 5 <sup>th</sup> Street	L.I.	CS-MU-CO-NP

TRACT #	ADDRESSES	FROM	TO
TRACT 30	1000 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 31	1101 E. 5 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 32	1201 E. 5 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 33	1301 E. 5 <sup>th</sup> Street 1308 & 1312 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 34	1400 Block of E. 5 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 35	1400 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 36	1500 & 1510 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 37	1516 E. 4 <sup>th</sup> Street 1508 E. 4 <sup>th</sup> Street	CS LI	CS-MU-CO-NP CS-MU-CO-NP
TRACT 38	1600, 1602, 1604, 1606, 1608, & 1610 E. 4 <sup>th</sup> Street	CS	CS-MU-CO-NP
TRACT 39	1624 E. 4 <sup>th</sup> Street 1601 E. 5 <sup>th</sup> Street, 1700 E. 4 <sup>th</sup> Street, & 410 Chicon Street	CS LI	CS-MU-CO-NP CS-MU-CO-NP
TRACT 40	807 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 41	901, 905, 911, 915, & 919 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 42	300 Medina Street	LI	CS-MU-CO-NP
TRACT 43	1104, 1107, 1109, 1115 & 1119 East 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 44	1201, 1205, 1207, 1209, & 1217 E. 4 <sup>th</sup> Street 300 Block of Attoyac Street	LI	CS-MU-CO-NP
TRACT 45	1301, 1303, 1305, 1307, 1309, & 1311 E. 4 <sup>th</sup> Street	LI	CS-MU-CO-NP
TRACT 46	1405, 1407 E. 4 <sup>th</sup> Street 1414 E. 3 <sup>rd</sup> Street 300 Block of Onion Street 1409 E. 4 <sup>th</sup> Street and 0 Onion Street	LI  LI	CS-MU-CO-NP  LI-CO-NP
TRACT 47	310 Comal Street	CS	CS-MU-CO-NP
TRACT 48	807 E. 4 <sup>th</sup> Street	CS	CS-MU-CO-NP
TRACT 49	900, 904, 908, 910, 912, 914, 916, & 918 E. 3 <sup>rd</sup> Street, 305 Brushy Street, 300 Block of San Marcos Street	LI	CS-MU-CO-NP
TRACT 50	300 Medina Street	LI	CS-MU-CO-NP
TRACT 51	1100 E. 3 <sup>rd</sup> Street	LI	CS-MU-CO-NP
TRACT 52	1200 & 1206 E. 3 <sup>rd</sup> Street	CS	CS-MU-CO-NP
TRACT 53	1212 E. 3 <sup>rd</sup> Street	GR	GR-MU-CO-NP
TRACT 54	1700 & 1710 E. 2 <sup>nd</sup> Street, 1707 E. 3 <sup>rd</sup> Street	CS	CS-MU-CO-NP
TRACT 55	1807 E. 3 <sup>rd</sup> Street	CS	CS-MU-CO-NP
TRACT 56	201, 203, & 205 Salina Street	CS	CS-MU-CO-NP
TRACT 57	200, 202 & 204 Chicon Street	CS	CS-MU-CO-NP
TRACT 58	104 Brushy Street	CS	CS-MU-CO-NP
TRACT 59	900, 902, 904, 908 & 910 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 60	1000 & 1002 East César Chávez Street 1004, 1006, 1008 & 1010 East César Chávez Street	CS-H CS	CS-H-MU-CO-NP CS-MU-CO-NP
TRACT 61	1100, 1102, 1104, 1108, 1110, & 1114 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 62	1200, 1202, 1204, 1206, 1208, & 1210 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 63	1300, 1302, 1304, 1306, 1308, & 1312 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 64	1400, 1402, 1408, 1410, 1500, 1506, 1510 East César	CS	CS-MU-CO-NP

TRACT #	ADDRESSES	FROM	TO
	Chávez Street		
TRACT 65	1602 East César Chavez Street 1601 & 1605 E. 2 <sup>nd</sup> Street 1631 E. 2 <sup>nd</sup> Avenue 1622, 1634, & 1642 East César Chávez Street	CS-H CS	CS-II-MU-CO-NP CS-MU-CO-NP
TRACT 66	1713 E. 2 <sup>nd</sup> Street 104 & 106 Chicon Street 1708, 1800, 1802, 1804, & 1808 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 67	901, 905, 907, 909, & 913 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 68	806 Willow Street	LO	LO-MU-CO-NP
TRACT 69	1005, 1009, 1013, 1017, 1021, 1023, & 1101 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 70	1201, 1205, 1207, 1209, 1211, 1301, 1303, 1305, 1307, & 1311 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 71	1401, 1403, 1405, 1407, 1409, 1501, 1503, 1505, 1507, & 1509 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 72	1601, 1603, 1605, 1607, 1609, 1611, 1615, & 1621 East César Chávez Street	CS	CS-MU-CO-NP
TRACT 73	1701 East César Chávez Street 1703, 1711, 1717, 1801, 1803, 1805 East Cesar Chavez, 98 Chicon Street 1807 East César Chávez Street	CS-I CS  CS-II	CS-I-MU-CO-NP CS-MU-CO-NP  CS-II-MU-CO-NP
TRACT 74	61 Interstate Highway 35 North	LR	LR-MU-CO-NP
TRACT 75	1308 & 1314 Holly Street 1311 Taylor Street 62 Navasota Street	CS	CS-MU-CO-NP
TRACT 76	62, 64, & 66 Comal Street 1514 Holly Street	LO CS	LO-MU-CO-NP CS-MU-CO-NP
TRACT 77	1600 & 1602 Holly Street 63 Comal Street	CS	CS-MU-CO-NP
TRACT 78	57 San Marcos	GR	GR-MU-CO-NP
TRACT 79	55 East Avenue 1104 & 1106 Lambie Street	LO CS	LO-MU-CO-NP CS-MU-CO-NP
TRACT 80	1313 Holly Street	LR	LR-MU-CO-NP
TRACT 81	1507-1/2, 1509, & 1511 Holly Street	CS	CS-MU-CO-NP
TRACT 82	1601 & 1603 Holly Street	CS	CS-MU-CO-NP
TRACT 83	54 Chalmers Avenue	LR	LR-MU-CO-NP
TRACT 84	1810 Haskell Street	CS	CS-MU-CO-NP
TRACT 85	1007, 1009, 1011, & 1013 Lambie Street	GR	GR-MU-CO-NP
TRACT 86	1104, 1102, 1100, 1010, 1012 Claremont Avenue	GR	GR-MU-CO-NP
TRACT 87	1013, 1101, 1103, 1105, 1107, 1109, & 1111 Claremont Avenue	CS	CS-MU-CO-NP
TRACT 88	31 Interstate Highway 35 North 1106, 1108, & 1110 Flores Street	CS	CS-MU-CO-NP
TRACT 89	21 Waller Street	CS	CS-MU-CO-NP
TRACT 90	46 & 48 Chicon Street	CS	CS-MU-CO-NP

**PART 3.** Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Section 25-2-1463 of the Code.

**PART 4.** The following applies to a single-family residential use on an existing legal lot:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 5.** Tract 1, 906 and 910 E. 6<sup>th</sup> Street of Tract 2, and Tracts 3 through 90 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1503 and 25-2-1504 of the Code.

**PART 6.** On Tracts 28 through 90:

1. A structure or portion of a structure constructed may not exceed a height of 40 feet above ground level.
2. Townhouse residential use is prohibited.

**PART 7.** The Property within the boundaries of the conditional overlay combining districts established by this ordinance is subject to the following conditions:

1. The following uses are prohibited on Tract 1, 906 and 910 E. 6<sup>th</sup> Street of Tract 2, and Tract 3 through 47:

Adult oriented businesses

Pawn shop services

2. The following uses are prohibited on 1000 and 1008 E. 6<sup>th</sup> Street of Tract 3 and on 1409 E. 4<sup>th</sup> Street of Tract 46:

Basic industry

Employee recreation

General warehousing and distribution

Railroad facilities

Recycling center

Resource extraction

Scrap and salvage

3. The following uses are conditional uses on Tract 1, 906 and 910 E. 6<sup>th</sup> Street of Tract 2, and Tracts 3 through 47:

Automotive sales

Automotive washing (of any type)

Campground

Commercial off-street parking

Convenience storage  
Equipment sales  
Hotel-motel  
Maintenance and service facilities  
Vehicle storage  
Outdoor entertainment  
Transitional housing  
Automotive repair services

Drop-off recycling collection facilities  
Exterminating services  
Kennels  
Residential treatment  
Hospital services (general)  
Club or lodge  
Transportation terminal  
Communication service facilities

4. The following uses are prohibited on Tracts 48 through 67 and 69 through 73:

Adult oriented businesses  
Commercial off-street parking  
Convenience storage  
Equipment repair services  
Kennels  
Residential treatment  
Outdoor entertainment

Campground  
Communication service facilities  
Drop-off recycling collection facilities  
Equipment sales  
Pawn shop services  
Vehicle storage  
Transportation terminal

5. The following uses are conditional uses on Tracts 48 through 67 and 69 through 73:

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
College and university facilities  
Construction sales and services  
Electronic prototype assembly  
Guidance services  
Hotel-motel  
Limited warehousing and distribution  
Off-site accessory parking  
Research services  
Restaurant (limited)  
Service station  
Club or lodge

Automotive rentals  
Automotive sales  
Building maintenance services  
Communications services  
Custom manufacturing  
Exterminating services  
Hospital services (limited)  
Indoor entertainment  
Local utility services  
Outdoor sports and recreation  
Restaurant (drive-in, fast food)  
Restaurant (general)  
Hospital services (general)  
Transitional housing

6. The following uses are prohibited on Tracts 68, 74 through 88 and 90:

Administrative and business offices  
Agricultural sales and services  
Automotive repair services

Adult oriented businesses  
Automotive rentals  
Automotive sales

Automotive washing (of any type)	Building maintenance services
Business or trade school	Business support services
Campground	College and university facilities
Commercial off-street parking	Communications service facilities
Communications services	Construction sales and services
Consumer convenience services	Consumer repair services
Convenience storage	Custom manufacturing
Drop-off recycling collection facilities	Electronic prototype assembly
Equipment repair services	Equipment sales
Exterminating services	Financial services
Funeral services	General retail sales (convenience)
General retail sales (general)	Guidance services
Hospital services (limited)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Kennels	Laundry services
Limited warehousing and distribution	Local utility services
Maintenance and service facilities	Medical offices (exceeding 5,000 s. f. of gross floor area)
Off-site accessory parking	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Plant nursery	Professional office
Research services	Residential treatment
Restaurant (drive-in, fast food)	Restaurant (limited)
Restaurant (general)	Service station
Software development	Vehicle storage
Veterinary services	Hospital services (general)
Outdoor entertainment	Club or lodge
Transitional housing	Transportation terminal

7. The following uses are conditional uses on Tracts 68, 74 through 88, and 90:

Art and craft studio (general)	Art and craft studio (limited)
Congregate living	Counseling services
Cultural services	Food sales
Medical office-not exceeding 5,000 square feet of gross floor area	Personal services
Theater	Pet services

8. The following uses are prohibited on Tract 89:

Adult oriented businesses	Automotive repair services
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Automotive sales  
Commercial off-street parking  
Communications services  
Convenience storage  
Equipment repair services  
Limited warehousing and distribution  
Maintenance and service facilities  
Outdoor sports and recreation  
Hospital services (general)

Automotive washing (of any type)  
Communication service facilities  
Construction sales and services  
Drop-off recycling collection facilities  
Equipment sales  
Local utility services  
Off-site accessory parking  
Vehicle storage  
Transportation terminal

9. The following uses are conditional uses on Tract 89:

Automotive rentals  
Outdoor entertainment  
Transitional housing

Hospital services (limited)  
Club or lodge

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

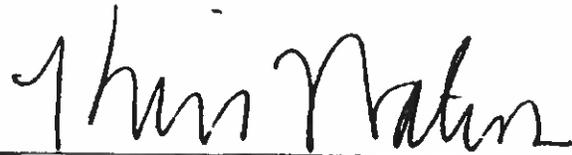
**PART 8.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 9.** This ordinance takes effect on December 25, 2000.

**PASSED AND APPROVED**

December 14, 2000

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§  
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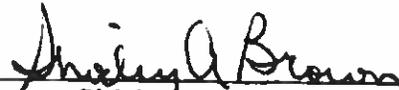
Kirk Watson  
Mayor

APPROVED:



Andrew Martin  
City Attorney

ATTEST:



Shirley A. Brown  
City Clerk



**East César Chávez Planning Area  
Commercial and Industrial Parcels  
Proposed for Rezoning Case # C14-00-2102**

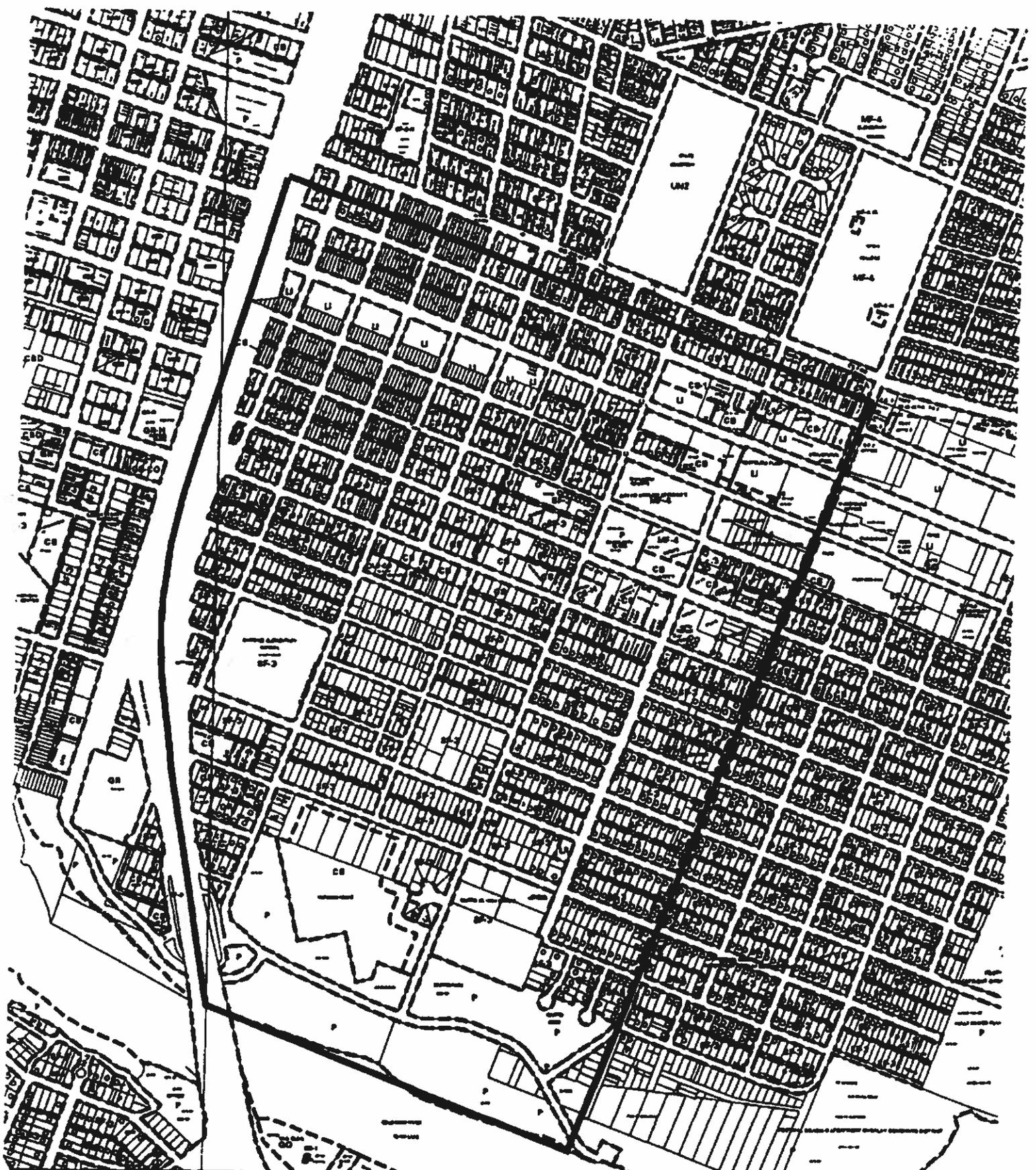


PECSO  
Neighborhood Planning  
Plotted: November 22, 2000  
Adopted by Ordinance: May 13, 1999

*EXHIBIT A*

-  Planning Area Boundary
-  Railroad
-  Tracts Proposed for Rezoning
-  Other tracts - On some residential lots, construction of "secondary apartments" would be permitted. The city would also allow new construction on existing small lots that do not meet minimum lot standards





	<p>SUBJECT TRACT          PENDING CASE          ZONING BOUNDARY          CASE MGR: A.SMITH</p>	<p><b>ZONING EXHIBIT B</b></p> <p>CASE #: C14-00-2102          ADDRESS: E.CAESAR CHAVEZ          NEIGHBORHOOD COMBINING DISTRICT          SUBJECT AREA (acres): N/A</p>	<p>DATE: 00-08          INTLS: TRC</p> <p>CITY GRID          REFERENCE          NUMBER          J20,21,22 K2          0,21,22</p>
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